

REMARKS

The Office Action mailed August 20, 2004 and advisory action mailed November 16, 2004, have been received and reviewed. Claims 1 through 28, and 100 through 129 are currently pending in the application. Claims 1 through 28, and 100 through 129 stand rejected. Independent claims 16, 26, 116 and 126 have been amended. This amendment is filed with a Request for Continued Examination. Reconsideration is respectfully requested.

Objection to Drawings

The drawings are objected to under 37 CFR. §1.83(a) for failure to show every feature of the invention specified in the claims. Specifically, it was stated that the drawings failed to show a conductive layer in contact with a metal layer. Applicants respectfully submit that at least Figs. 5, 6 7a, 7b, 8 and 9 depict conducting layer 62/64 in contact with metal spacers 60 and metal layer 52. Reconsideration and withdrawal of the objection is requested.

Objection to Specification

The amendment filed on June 7, 2004, is objected to under 35 U.S.C. § 132 because it introduces new matter into the disclosure of the invention. Specifically, it was stated that the as-filed specification failed to disclose a conductive layer in contact with a metal layer as recited in claims 16 through 28, 101 and 116 through 129. Applicants respectfully traverse this rejection and submit that the claim language is supported by the as-filed specification, for example, page 12, line 5 through page 14, line 28 and Figs. 5, 6 7a, 7b, 8 and 9. A metal layer 52 and dielectric layer 54 are formed over a substrate. The dielectric layer 54 includes an opening therein exposing the metal layer 52. Metal spacers 60 flank the opening in the dielectric layer 54. Conducting layer 62/64 fills the aperture in contact with metal spacers 60 and metal layer 52. (Specification, page 12, line 5 through page 14, line 28, Figs. 5, 6 7a, 7b, 8 and 9). Reconsideration and withdrawal of the rejection is requested.

Claim Objections

Claims 26 through 28, and 126 through 128, are objected to because of informalities. Specifically, the Examiner stated that the limitation “uppermost extent of the metal spacer” was

unclear. Applicants respectfully traverse this rejection and submit that the term “extent” is commonly understood to mean “the point, degree or limit to which something extends.” (A copy of the definition of “extent” from the Merriam-Webster Online Dictionary is provided with a Supplemental Information Disclosure Statement filed herewith). Reconsideration and withdrawal of the objection is requested.

35 U.S.C. § 112 Claim Rejections

In the Final Rejection, claims 16 through 28, 101, and 116 through 129 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant respectfully traverses this rejection, as hereinafter set forth.

Specifically, it was stated in the Final Rejection that the specification does not describe a conductive layer in contact with a metal layer. Applicants respectfully traverse this rejection and submit that the claim language is supported by the as-filed specification, for example, page 12, line 5 through page 14, line 28 and Figs. 5, 6 7a, 7b, 8 and 9. A metal layer 52 and dielectric layer 54 are formed over a substrate. The dielectric layer 54 includes an opening therein exposing the metal layer 52. Metal spacers 60 flank the opening in the dielectric layer 54. Conducting layer 62/64 fills the aperture in contact with metal spacers 60 and metal layer 52. An upper metal layer 66 may be positioned on the conductive layer 62/64. (Specification, page 12, line 5 through page 14, line 28, Figs. 5, 6 7a, 7b, 8 and 9). Further, claims 16, 26, 116 and 126 have been amended to recite “a conductive layer of the conductive line” addressing the Examiner’s concerns in the advisory action. As the as-filed specification supports the claim language, reconsideration and withdrawal of the rejection is requested.

35 U.S.C. § 102(e) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent 6,153,900 to Chang et al.

Claims 16, 23, 101, 116, 123, and 129 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Chang et al. (U.S. Patent 6,153,900). Applicant respectfully traverses this rejection, as hereinafter set forth.

Applicant asserts that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Chang describes a structure including a substrate 10 having a conductive layer 16 thereon. A first insulating layer 18 includes an aperture having spacers 22a that extend partially up the sidewalls of the aperture. The spacers 22a are in contact with a dielectric layer 22 and form a trench 14 within the aperture. The trench 14 also only partially fills with aperture and is filled with conductive material 24. First insulating layer 18 is in contact with conductive layer 24 which underlies a second insulating layer 26 and interconnect layer 28. The interconnect layer 28 also extends into the first insulating layer 18. (Chang, Fig. 6).

Applicant respectfully asserts that Chang fails to identically describe, either expressly or inherently, every element of independent claims 16 and 116 of the presently claimed invention. Chang fails to describe, either expressly or inherently, “a conductive layer of the conductive line in contact with the metal layer and the metal spacer, the conductive layer and the metal spacer substantially filling the aperture, the conductive layer having an upper surface substantially coincident with an upper surface of the dielectric layer.” By contrast, Chang describes conductive layer 24 out of contact with spacer 22a and conductive layer 16. Conductive layer 28 is also out of contact with conductive layer 16 and does not have an upper layer coincident with an upper surface of dielectric layer 18, nor do conductive layer 28 and metal spacer 22 substantially fill the aperture in 18. Instead, interconnection layer 28 extends into first insulating layer 18. Thus, neither conductive layer 24 nor dielectric layer 22 are “in contact with the metal layer and the metal spacer” as recited in claims 16 and 116 of the presently claimed invention. As Chang fails to identically describe every element of claims 16 and 116 of the presently claimed invention, Chang does not anticipate under 35 U.S.C. § 102 claim 16 or claim 116. Accordingly, independent claims 16 and 116 of the presently claimed invention are allowable.

Claims 17 through 25 and 101 are each allowable as depending, either directly or indirectly, from allowable claim 16.

Claims 117 through 125 and 129 are each allowable as depending, either directly or indirectly, from allowable claim 116.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent 6,074,943 to Brennan et al. in View of U.S. Patent 6,277,745 to Liu et al.

Claims 1, 4 through 13, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brennan et al. (U.S. Patent 6,074,943) in view of Liu et al. (U.S. Patent 6,277,745). Applicant respectfully traverses this rejection, as hereinafter set forth.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Brennan teaches or suggests a prior art method of forming via structures including thick buffer regions on the sidewalls of interconnects. (Brennan, FIG. 3).

Liu teaches or suggests a passivation method of post copper dry etching. Liu teaches or suggests a sandwich structure consisting of a bottom barrier layer 4, a copper layer 6 and a top barrier metal layer 8. After formation of this sandwich structure and patterning, the exposed sidewalls are passivated by means of a barrier metal spacer process. Liu teaches that the fully encapsulated copper lines are highly resistant to oxidation which is an otherwise inherent problem with bare copper lines. (Liu, Abstract)

By way of contrast with Brennan and Liu, claim 1 of the presently claimed invention recites the claim limitation calling for a “metallization structure for a semiconductor device, comprising: a substrate comprising a substantially planar upper surface; and a conductive line for transmitting a signal laterally across the substrate, the conductive line consisting essentially of: a metal layer defining a pattern on a portion of the substrate upper surface; a single conducting

layer overlying and substantially coextensive with the metal layer, the metal layer and the single conducting layer having substantially aligned sidewalls and the single conducting layer defining an upper surface of the conductive line; and metal spacers flanking and extending at least substantially to a height of the sidewalls of the single conducting layer and metal layer”. Applicant respectfully asserts that the proposed combination of references fail to teach or suggest all the claim limitations of claim 1 of the presently claimed invention to establish a *prima facie* case of obviousness under 35 U.S.C. § 103.

Applicant respectfully asserts that the proposed combination fails to teach or suggest the claim limitation calling for a conductive line for transmitting a signal laterally across the substrate consisting essentially of a metal layer, a single conducting layer and metal spacers as recited in claim 1 of the presently claimed invention or a metal layer defining a pattern on a portion of the substrate upper surface. Brennan fails to teach or suggest an underlying metal layer and only incidentally suggests spacers as etch stop buffer regions. No motivation exists to combine only the bottom barrier layer 4 of Liu without the top metal barrier layer 8 as Liu teaches the benefits of fully encapsulated copper lines. (Liu, abstract). Thus, applicant respectfully asserts that the proposed combination of references fail to teach or suggest all the claim limitations of claim 1 of the presently claimed invention to establish a *prima facie* case of obviousness under 35 U.S.C. § 103. Accordingly, claim 1 is allowable.

Claims 2 through 15 and 100 are each allowable as depending, either directly or indirectly, from allowable claim 1.

Obviousness Rejection Based on U.S. Patent 6,074,943 to Brennan et al. in View of U.S. Patent 6,277,745 to Liu et al., and Further in View of U.S. Patent 6,166,439 to Cox

Claims 2, 3, 100, 102 through 113, and 115 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brennan et al. (U.S. Patent 6,074,943) in view of Liu et al. (U.S. Patent 6,277,745), and further in view of Cox (U.S. Patent 6,166,439). Applicant respectfully traverses this rejection, as hereinafter set forth.

The discussion of Brennan and Liu above are incorporated herein. Cox teaches or suggests a low dielectric constant material and method of application to isolate conductive lines. Cox teaches or suggests a semiconductor device which includes a substrate and a conductive

pattern formed on the substrate. The conductive pattern includes at least two conductive lines adjacent one another. A low dielectric constant material is disposed between the at least two conductive lines. Cox clearly fails to cure the deficiencies of Brennan in view of Liu.

With respect to dependent claims 2, 3 and 100, the Court of Appeals for the Federal Circuit has stated that “dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also MPEP § 2143.03. Having failed to teach or suggest each and every limitation of the independent claims, the prior art referenced as rendering dependent claims 2, 3 and 100 obvious, cannot serve as a basis for rejection.

As to claims 102 through 113 and 115, independent claim 102 includes similar claim elements to independent claim 1 of the presently claimed invention. Therefore, claim 102 and consequently, claims 103 through 113 and 115 are each allowable at least for the same reasons as set forth with respect to claim 1.

Obviousness Rejection Based on U.S. Patent 6,074,943 to Brennan et al. in View of U.S. Patent 6,277,745 to Liu et al., and Further in View of U.S. Patent 6,046,502 to Matsuno

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Brennan et al. (U.S. Patent 6,074,943) in view of Liu et al. (U.S. Patent 6,277,745), and further in view of Matsuno (U.S. Patent 6,046,502). Applicant respectfully traverses this rejection, as hereinafter set forth.

The discussion of Brennan and Liu above are incorporated herein. Matsuno teaches or suggests a semiconductor device with improved adhesion between a titanium-based metal layer and an insulation film and fails to cure the deficiencies of Brennan. The Court of Appeals for the Federal Circuit has stated that “dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also MPEP § 2143.03. Having failed to teach or suggest each and every limitation of independent claims, the prior art referenced as rendering dependent claim 14 obvious, cannot serve as a basis for rejection.

Obviousness Rejection Based on U.S. Patent 6,153,900 to Chang et al. in View of U.S. Patent 5,712,195 to Chang

Claims 17, 18, 24, 25, 117, 118, 124, and 125 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chang et al. (U.S. Patent 6,153,900) in view of Chang (U.S. Patent 5,712,195). Applicant respectfully traverses this rejection, as hereinafter set forth.

The Court of Appeals for the Federal Circuit has stated that “dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also MPEP § 2143.03. Having failed to teach or suggest each and every limitation of the independent claims, the prior art referenced as rendering dependent claims 17, 18, 24, 25, 117, 118, 124 and 125 obvious, cannot serve as a basis for rejection.

Obviousness Rejection Based on U.S. Patent No. 6,153,900 to Chang et al. in View of U.S. Patent 6,242,340 to Lee

Claims 19, 20, 119 and 120 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chang et al. (U.S. Patent 6,153,900) in view of Lee (U.S. Patent 6,242,340). Applicant respectfully traverses this rejection, as hereinafter set forth.

The discussion of Chang is incorporated herein. Lee fails to cure the deficiencies of Chang. Lee teaches or suggests a method of forming an interconnect layer wherein the interconnect layer comprises a substrate 20 having a dielectric layer 22 thereon. The dielectric layer 22 includes a trench filled with a conducting metal (first interconnect) 28. An insulation layer 30 overlays the first interconnect 28 and underlies a second dielectric layer 32. A second trench is formed in the second dielectric layer 32. The trench includes spacers 36a that extend to insulating layer 30 and is filled with a second conducting metal. 40. (Lee, FIGs. 3A-3F and col. 3-4, lines 60-67).

The Court of Appeals for the Federal Circuit has stated that “dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also MPEP § 2143.03. Having failed to teach or suggest each and every limitation of the independent claims, the prior

art referenced as rendering dependent claims 19, 20, 119 and 120 obvious, cannot serve as a basis for rejection.

Obviousness Rejection Based on U.S. Patent 6,153,900 to Chang et al. in View of U.S. Patent 6,166,439 to Cox

Claims 21, 22, 121, and 122 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chang et al. (U.S. Patent 6,153,900) in view of Cox (U.S. Patent 6,166,439). Applicant respectfully traverses this rejection, as hereinafter set forth.

The Court of Appeals for the Federal Circuit has stated that “dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also MPEP § 2143.03. Having failed to teach or suggest each and every limitation of the independent claims, the prior art referenced as rendering dependent claims 21, 22, 121 and 122 obvious, cannot serve as a basis for rejection.

Obviousness Rejection Based on U.S. Patent 6,153,900 to Chang et al. in View of U.S. Patent 6,054,380 to Naik

Claims 26 through 28, and 126 through 128 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chang et al. (U.S. Patent 6,153,900) in view of Naik (U.S. Patent 6,054,380). Applicant respectfully traverses this rejection, as hereinafter set forth.

The discussion of Chang above is incorporated herein. Naik teaches or suggests an apparatus for protecting a metal interconnect from corrosion due to contact with a low dielectric material. A substrate 300 includes metal lines 302 flanked by spacers 306 extending above the metal lines 302. A low dielectric constant material 310 flanks the spacers 306 and a PETOS layer 316 is on the low dielectric constant material 310. A titanium layer 318 is on the PETOS layer 316 and extends into an aperture therein. The titanium layer 318 extends into the low dielectric constant material 310 and contacts the metal lines 302 and spacers.

By way of contrast with Chang and Naik, claims 26 and 126 of the presently claimed invention include the similar recitation of a metallization structure for a semiconductor device, comprising a conductive layer of the conductive line in contact with the metal spacer, the metal

spacer and the conductive layer nearly filling the aperture” and “at least one upper metal layer on the conductive layer comprising Ti, Ta, W, Co or Mo or an alloy or a compound of any thereof, including TaN or TiN, the at least one upper metal layer being disposed within the aperture laterally adjacent the metal spacer and having an upper surface substantially coincident with an upper surface of the dielectric layer and an uppermost extent of the metal spacer”.

Applicant respectfully submits that Chang in view of Naik fails to teach or suggest all the claim limitations of claims 26 and 126 of the presently claimed invention to establish a *prima facie* case of obviousness under 35 U.S.C. § 103. Instead, Chang teaches or suggests dielectric layer 22 filling a portion of an aperture and in contact with spacers 22a. Conductive layer 24 is not in contact with spacers 22a or metal layer 16. The interconnection layer 28 extends into first insulating layer 18 and extending laterally beyond the spacers 22. However, interconnection layer 28 extends beyond first insulating layer 18 and into conductive layer 24 and does not have an upper surface “substantially coincident with an upper surface of the dielectric layer and an uppermost extent of the metal spacer” as recited in claims 26 and 126 of the presently claimed invention. Further, the interconnect layer 28 is not in contact with the metal layer 16 as recited in claims 26 and 126 of the presently claimed invention. Similarly, Naik teaches or suggests metal lines 302 having a titanium layer 318 thereon which extends above low dielectric layer 310, above spacers and flanking sidewalls and upper surface of PETOS layer 316.

As Chang and Naik fail to teach or suggest all the claim limitations of claims 26 and 126 of the presently claimed invention to establish a *prima facie* case of obviousness under 35 U.S.C. § 103, claims 26 and 126 of the presently claimed invention are allowable.

Claims 27 and 28 are each allowable as depending, either directly or indirectly, from allowable claim 26.

Claims 127 and 128 are each allowable as depending, either directly or indirectly, from allowable claim 126.

Obviousness Rejection Based on U.S. Patent 6,074,943 to Brennan et al. in View of U.S. Patent 6,277,745 to Liu et al., in View of U.S. Patent 6,166,439 to Cox, and Further in View of U.S. Patent 6,046,502 to Matsuno

Claim 114 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Brennan et al. (U.S. Patent 6,074,943) in view of Liu et al. (U.S. Patent 6,277,745), in view of Cox (U.S. Patent 6,166,439), and further in view of Matsuno (U.S. Patent 6,046,502). Applicant respectfully traverses this rejection, as hereinafter set forth.

The Court of Appeals for the Federal Circuit has stated that “dependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also MPEP § 2143.03. Having failed to teach or suggest each and every limitation of the independent claims, the prior art referenced as rendering dependent claim 114 obvious, cannot serve as a basis for rejection.

CONCLUSION

The claims are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Office determine that additional issues remain which might be resolved by a telephone conference, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



Krista Weber Powell
Registration No. 47,867
Attorney for Applicant(s)
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

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